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CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
SITE DESIGNATION COMMITTEE  
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**THE SITE DESIGNATION PROCESS UNDER THE  
UNIFIED AGENCY REVIEW OF HAZARDOUS MATERIALS RELEASE SITES  
Health and Safety Code, Division 20, Chapter 6.65**

**IMPLEMENTATION GUIDE**

**1 January 1997**

***INTRODUCTION & OVERVIEW***

Assembly Bill (AB) 2061 (Umberg) amended the Health and Safety Code (HSC) by adding Chapter 6.65 to Division 20. This law took effect on January 1, 1994 and was amended by Senate Bill 923 of 1994 and Senate Bill 1425 of 1996. See attached copy of law. The purpose of the Site Designation process is to allow a Responsible Party who agrees to carry out a site investigation and remedial action to request the Site Designation Committee (Committee) within the California Environmental Protection Agency to designate a single state or local agency (the "Administering Agency") to oversee the site investigation and remedial action. A copy of Chapter 6.65 is attached. The Committee consists of six members representing the California Environmental Protection Agency (Cal/EPA), the Air Resources Board, the Department of Toxic Substances Control, the Office of Environmental Health Hazard Assessment, the State Water Resources Control Board, and the Department of Fish and Game.

*This Implementation Guide* provides a discussion of the site designation process and Administering Agency responsibilities. It includes guidance for coordinating regulatory activities necessary during the various phases of site investigation, remediation, and, following the determination that an approved remedy has been accomplished, issuance of a certificate of completion.

***The Role of the Administering Agency***

The Administering Agency for a "hazardous materials release site" is authorized to supervise all aspects of site cleanup. For that purpose the Administering Agency is granted sole jurisdiction over all activities necessary to respond to the hazardous materials release. [HSC, Section 25264 (a)] The Administering Agency administers all state and local laws, ordinances, regulations, and standards that are applicable to, and govern, the site investigation and remedial action at the site. [HSC, Section 25264(a)] The Administering Agency also issues required permits and must ensure that required procedures are followed and adequate permit requirements and conditions are imposed. The Administering Agency must consult with other "Appropriate Agencies" or "Support Agencies" when issuing permits or other forms of authorization not normally within its own jurisdiction. [HSC, Section 25264(a)(3)] This includes maintaining active communication between agencies that would normally be involved in the process and providing consistency in applying these agencies' statutory and regulatory requirements.

Once a cleanup has been completed to the satisfaction of the Administering Agency, a Certificate of Completion is issued by the Administering Agency. This certificate constitutes a determination that the remedial action has complied with applicable state and local requirements. No state or local agency may take any further enforcement action related to a certified site, except under certain

circumstances specified in HSC, Section 25264(c).

### *The Role of Other Agencies*

Support Agencies are those agencies that have not been designated as Administering Agency by the Site Designation Committee, but have a role in the investigation and remedial action as specified in Chapter 6.65. The Administering Agency must consult with appropriate Support Agencies before issuing permits or other authorizations necessary for activities relating to investigation and remedial action. Support Agencies also participate in consultative work group meetings or may formally request an Advisory Team to provide guidance to the Administering Agency in overseeing the site investigation and remedial action. Any agency may request the Committee to convene an Advisory Team and may petition the Committee if it believes that relevant laws, ordinances, regulations and standards are not being properly implemented by the Administering Agency. Such petitions may result in rescinding the Administering Agency designation.

### *Limitations & Other Conditions*

Since this law does not supersede federal environmental law or existing agreements/grants between the state agencies and the United States Environmental Protection Agency (USEPA), it may not always be possible for the Site Designation Committee to designate an Administering Agency. Responsible parties should be aware that they may have other responsibilities at hazardous materials sites, in addition to the investigation and remediation process, such as the restoration of injured State fish, wildlife species, and their habitats, under the trusteeship of the Department of Fish and Game. [e.g., see Section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)]

## **STATUTORY DEFINITIONS** **[HSC, Section 25260]**

*Site Designation Committee or Committee* — the committee established within Cal/EPA by HSC, Section 25261, consisting of the following six persons or their designees:

- (1) the Secretary for Environmental Protection;
- (2) the Director of the Department of Toxic Substances Control;
- (3) the Chairperson of the State Water Resources Control Board;
- (4) the Director of the Department of Fish and Game, a department within the Resources Agency;
- (5) the Director of the Office of Environmental Health Hazard Assessment; and
- (6) the Chairperson of the Air Resources Board.

The Committee is subject to the Bagley-Keene State Open Meeting Law. [Government Code, Sections 11120-11132]

*Responsible Party* — any person, except for an independent contractor, who agrees to carry out a site investigation and remedial action at a site under HSC, Section 25260(h).

*Administering Agency* — the state or local agency designated by the Site Designation Committee pursuant to HSC, Section 25262. [HSC, Section 25260(a)]

*Agency (used herein as Appropriate Agency)* — any city, county, district, commission, the state, or any department, agency, or political subdivision thereof, that has jurisdiction under a state or local law, ordinance, or

regulation to supervise, oversee, or approve a site investigation and a remedial action at a hazardous materials release site. [HSC, Section 25260(c)] The Administering Agency is also an Appropriate Agency.

*Advisory Team* — the team that may be convened by the Site Designation Committee to provide guidance pursuant to HSC, Section 25263. [HSC, Section 25260(b)]

### **OTHER DEFINITIONS**

*Consultative Work Group* — a group of agency staff representing the Administering Agency and each Support Agency for a given site. These are individuals who will actually develop all necessary permits for the site and conduct other necessary oversight activities.

*Expedited Remedial Action Program* -- a voluntary cleanup program established pursuant to HSC, Division 20, Chapter 6.85.

*Site Designation Work Group* — a group consisting of staff of the Air Resources Board, Water Resources Control Board, Regional Water Quality Control Boards, Department of Toxic Substances Control, Department of Fish & Game, Office of Environmental Health Hazard Assessment, and Cal/EPA that assists the Site Designation Committee in implementation of Chapter 6.65.

*Support Agency* — an Appropriate Agency that is not the Administering Agency.

### **SITE DESIGNATION APPLICATIONS**

An application form for Responsible Parties to request designation of an Administering Agency is attached to this *Implementation Guide*. The application form also includes details for submitting a complete application package. The application must include all information required by Chapter 6.65 necessary for the Site

Designation Committee to make a designation. Applications should be typed or printed. Responsible Parties should attach additional reports or documentation as needed, including the identification of the owner of the property, a list of interested persons with names and addresses, and a legal description of the property. Applications must be mailed to the California Environmental Protection Agency, Site Designation Committee, at the address shown on the back of the application form. Responsible Parties are requested to provide the Committee with ten copies of the application and all accompanying documentation. Copies are provided to a representative of each member of the Committee. Inquiries regarding the site designation process may be directed to the Chair of the Site Designation Committee, or the coordinator for the Committee at (916) 445-3846.

Multiple parties may submit an application for designation of an Administering Agency for a single site so long as they each agree to carry out the site investigation and remedial action at the site.

#### ***The Expedited Remedial Action Program (SB 923)***

The Site Designation Committee also acts on applications submitted pursuant to the Expedited Remedial Action Program (ERAP). ERAP was created pursuant to Senate Bill (SB) 923 (effective on January 1, 1995), the "California Expedited Remedial Action Reform Act of 1994." [HSC, Division 20, Chapter 6.85] ERAP is a pilot project of the Department of Toxic Substances Control (DTSC) for cleanup of up to 30 hazardous substance release sites. Only DTSC can be designated as the Administering Agency for implementing ERAP. Applications for participation in ERAP are submitted to DTSC who forwards its recommendation to the Site Designation Committee. To obtain information and an application package or copies of the policies and procedures, please contact:

Expedited Remedial Action Program  
Department of Toxic Substances Control  
10151 Croydon Way, Suite 3  
Sacramento, CA 95827  
(916) 255-3727

### ***SITE DESIGNATION COMMITTEE PROCESS***

Only a complete application from a Responsible Party can trigger a Site Designation Committee action. Within 45 days of receipt of a complete application, the Site Designation Committee meets in a noticed public forum to hear comments from the applicant. Appropriate Agencies, and other interested persons. If it appears that the 45-day period for review by the Committee cannot be met, the coordinator for the Committee will schedule an alternate time with the applicant.

Applicants are provided an opportunity to comment at the Committee meeting. Any person who would like to participate by telephone should make arrangements with the Cal/EPA Coordinator in advance of the scheduled Committee meeting.

In selecting the Administering Agency, the Committee is required to consider a number of factors and criteria in HSC, Section 25262, and to make a judgment as to what agency best meets these factors and criteria. The Site Designation Committee may designate the Agency requested by the applicant/Responsible Party or any other Appropriate Agency as the Administering Agency for the site or may choose not to designate an Administering Agency. The Committee must designate an Administering Agency unless it finds that:

1. No single agency in state or local government has the expertise needed to adequately oversee a site investigation and remedial action at the site;
2. Designating an Administering Agency will have the effect of reversing a regulatory or

enforcement action initiated by an agency that has jurisdiction over the site, a facility on the site, or an activity at the site; or

3. Designating an Administering Agency will prevent a regulatory or enforcement action required by federal law or regulations.
4. The Administering Agency and the responsible party are local agencies formed, in whole or in part, by the same political subdivision.

A site designation decision requires agreement of at least four of the six Committee members. [HSC, Section 25261(b)] The designation will be by a resolution of the Site Designation Committee. The resolution may clarify limitations or conditions of the designation, if desired by the Site Designation Committee. See attached sample resolution.

### ***NOTIFICATION OF AGENCY DESIGNATION***

The designated Administering Agency is responsible for sending written notification of the designation to all interested parties and all Support Agencies. See attached form letter. Where practicable, notification should occur within 30 days of agency designation. The Administering Agency should obtain the interested parties mailing list and the list of contact persons for Appropriate Agencies utilized by the Site Designation Committee (from Cal/EPA). The Administering Agency is encouraged to meet with the Responsible Party within 30 days of agency designation to discuss contacts and other procedural matters, information exchange (including prior technical reports developed on the site), oversight cost recovery by the Administering and Support Agencies, schedules for site investigation and remedial action, agency and Responsible Party expectations, etc. At ERAP sites, all interested persons receive notification of the site conference to be held within 90 days of the date of the site designation.

## **COORDINATION OF AGENCY INVOLVEMENT**

The Administering Agency is responsible for arranging consultative meetings, telephone conferences, and other communication between the Administering Agency and all Support Agencies—i.e., the Consultative Work Group. Agency coordination also includes requests for input from Support Agencies on permitting and other issues critical to site investigation and remedial action. Such coordination may occur by memoranda with deadlines to respond with comments or permit conditions. The Administering Agency should obtain the list of contact persons for Appropriate Agencies utilized by the Site Designation Committee (from Cal/EPA staff). The Administering Agency should document its efforts to schedule meetings and telephone conferences with Support Agencies.

The Administering Agency's letter requesting the first Consultative Work Group meeting should include a deadline for reply by the Support Agencies. The request for the first consultative meeting may be combined with the notification to Support Agencies of Administering Agency designation. See attached form letter. Where practicable, the first meeting of the Consultative Work Group should be held within 45 days of agency designation. The subjects for the Consultative Work Group meetings should include potential or known areas of concern, technical problems, coordination of site investigation and cleanup activity oversight, fees, identifying required permits, requirements for permits, and what is required for the Responsible Party to comply with Appropriate Agency laws, ordinances, and regulations. The Administering Agency may decide how to structure the meetings and who to include in addition to Support Agency representatives.

The purpose of the Consultative Work Group meetings is to foster a coordinated effort to investigate and remediate the site and to lessen

the need of Appropriate Agencies to formally petition the Site Designation Committee to convene an Advisory Team, pursuant to HSC, Section 25263. The Administering Agency and any interested members of the Consultative Work Group should meet with the Responsible Party within 60 days of agency designation to discuss the results of the first Consultative Work Group meeting.

The Administering Agency should coordinate with Support Agencies with respect to the responsibilities of all agencies at the site, including identification of applicable requirements, including permits, and oversight costs. Responsible Parties are responsible for reimbursing the Administering and Support Agencies for their appropriate oversight costs and appropriate permit fees related to investigation and remediation of the particular site. The Administering and Support Agencies should follow their standard processes for collecting oversight costs and permit fees. Permit fees should be paid to the agency that develops the permit as described in the "*PERMIT DEVELOPMENT, ADOPTION, & ISSUANCE*" section below. The Administering Agency is not responsible for collecting such costs and fees for a Support Agency except upon mutual agreement. The Administering and Support Agencies may enter into voluntary agreements with the Responsible Party for collecting oversight costs and permit fees.

## **SITE TRACKING**

The Administering Agency is responsible for tracking its activities and those of all Support Agencies with respect to investigation and remedial action at the site. Information exchange between the agencies for such tracking may be accomplished through the meetings of the Consultative Work Group. Brief progress reports should be prepared by the Administering Agency and forwarded to Cal/EPA. See attached report form entitled "Site Designation Quarterly Status Report."

The first such report should summarize the first meeting of the Consultative Work Group. As practicable, progress reports should be generated at least quarterly thereafter. Less frequent reports may be needed for less complex sites. The following items should be included in the reports: potential or known areas of concern, technical problems, coordination of site investigative and cleanup activity oversight, fees, identifying required permits, requirements for permits, and what is required for the Responsible Party to comply with Appropriate Agency laws, ordinances, and regulations. The Administering Agency should provide a report to Cal/EPA upon issuance of a Certificate of Completion.

#### ***PERMIT DEVELOPMENT, ADOPTION, & ISSUANCE***

One or more permits or other forms of authorization may be necessary for investigative and/or remedial actions at a site.

Depending on the complexity of the site and the phase of investigation and cleanup, the Administering Agency may have sufficient expertise to be able to develop, issue, and ascertain compliance with all permits required for site investigation and remedial action. Before issuing a permit or other authorization, the Administering Agency must consult with the Appropriate Agency and ensure that required procedures are followed and adequate permit requirements and conditions are imposed. [HSC, Section 25264(a)]

To ensure that required procedures are followed and adequate requirements and conditions are imposed, it may be more effective if the Support Agencies develop and conditionally adopt necessary permits using their normal procedures. Each permit developed and conditionally adopted by a Support Agency should contain a provision that the permit becomes effective only upon written approval of the Administering Agency. Support Agencies should forward such permits to the

Administering Agency for issuance to the Responsible Party. To ensure that conflicts do not exist between conditional permits for a particular site, all permit writers should coordinate permit language through regular discussion with Consultative Work Group members. Permits prepared by the Administering Agency would not need to be conditional; however, coordination through the Consultative Work Group would still be necessary.

#### ***Special Conditions & Exceptions***

Federally mandated permits, such as Resource Conservation and Recovery Act (RCRA) and National Pollutant Discharge Elimination System (NPDES) permits, must be issued by the agency to which the permitting authority has been delegated or approved by the federal government. The Department of Toxic Substances Control has the authority to issue RCRA permits. The California Regional Water Quality Control Boards have authority to issue NPDES permits, including stormwater permits. Note that use of the Site Designation Committee Process does not preclude action or issuance of permits by federal agencies.

Department of Fish and Game Stream Alteration Agreements—often investigated and approved in the field—follow very short approval time frames (15 to 30 days maximum). If a Stream Alteration Agreement is required as part of site investigation or remedial action, this short time frame could make the conditional approval process difficult, especially if the Responsible Party does not agree to the condition of Administering Agency approval. Therefore, it is critical that Responsible Party cooperation be assured early in the process and that the short approval turnaround be built into the process from the beginning.

Other statutes contain strict time and other limits for issuing permits. The Administering Agency should consult with the appropriate Support

Agencies to assure compliance with such limitations.

The Site Designation Committee process applies only to the investigation and remedial action of hazardous materials. Permits for operational or other activities at a site are not subject to the Site Designation Committee process. For example, construction permits or waste discharge requirements for a sewage treatment facility at a site would not be subject to the program.

Where a redevelopment agency is requested to be the Administering Agency, provisions of HSC, Division 24, Chapter 4, Article 12.5, Sections 33459 to 33459.8, may apply.

#### ***Applications & Information Needs***

To develop the necessary permits, Responsible Parties must complete all Appropriate Agency application and information requirements. The Administering Agency should coordinate the submittal of information needed by all agencies for necessary permits. In the first Consultative Work Group meeting between the Administering Agency and all Support Agencies, the Administering Agency should gather all of the required application forms and information needs for transmittal to the Responsible Party. It is recommended that contact names and telephone numbers for all Appropriate Agencies also be transmitted to the Responsible Party, so that questions may be answered expeditiously. The Responsible Party should be encouraged to respond to the Administering Agency with combined information submittals where appropriate, to avoid the duplication of similar information in multiple reports.

#### ***CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)***

For all actions requiring CEQA compliance, the Administering Agency should act as CEQA "lead agency," while Support Agencies should act as

CEQA "responsible agencies" or "trustee agencies."

To reduce review time and optimize the CEQA and permitting processes, agencies are encouraged to combine the permit application and review process with the CEQA process, to the extent practicable. In cases where an environmental document is required, the draft document should be prepared so as to contain all application information required by the Appropriate Agencies to develop required permits for site investigation and cleanup. Comments submitted by Support Agencies to the Administering Agency on the draft environmental document should include draft permit language when practicable.

#### ***COORDINATION OF MONITORING & REPORTING REQUIREMENTS***

As practicable, monitoring and reporting conditions within all permits for any given site should be coordinated in time and should be submitted to the Administering Agency for dissemination to Support Agencies.

#### ***CERTIFICATE OF COMPLETION***

The Administering Agency may issue a Certificate of Completion if it determines "that the Responsible Party has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable." [HSC, Section 25264(c)] Any agency may petition the Site Designation Committee chairperson to review the Administering Agency's decision to issue a Certificate of Completion. Therefore, the Administering Agency should consult with all Support Agencies, and must consult with the Advisory Team if one has been convened by the Site Designation Committee, before issuing a Certificate of Completion to a site. Consultative Work Group meetings can be used to exchange information on site compliance.

The Administering Agency should issue a Certificate of Completion in compliance with its own procedural requirements, including notice to Support Agencies. The issuance of the Certificate should be included in the Site Designation Quarterly Status Report. In some instances involving large sites with separate areas of hazardous materials releases, it may be appropriate to issue a Certificate of Completion for a portion of a site. In such a case, the remaining portions of the site investigation and remedial action would remain subject to the jurisdiction of the Administering Agency. See attached model Certificate of Completion. Blank Certificates of Completion may be obtained from the Site Designation Committee Coordinator at Cal/EPA.

Issuance of a Certificate of Completion does not preclude all future actions by government agencies. In accordance with HSC, Section 25264(c)(1) through (6), other Agencies may take action against the responsible party with respect to the hazardous materials release that was the subject of the site investigation and remedial action after a Certificate of Completion is issued, if:

1. Subsequent monitoring, testing, or analysis of the hazardous materials release site indicates that the remedial action standards and objectives were not achieved or are not being maintained;
2. Conditions, restrictions, or limitations imposed on the site are violated;
3. Required site monitoring or operation and maintenance activities are not adequately funded or are not properly performed;
4. A new or previously undiscovered release occurs at the site that was not part of the site remedial actions for which the site was issued a certificate of completion;

5. A material change in the facts or new facts cause an Agency to find further site investigation and remedial action are required to prevent a significant risk to human health and safety or to the environment; or
6. The responsible party induced the Administering Agency to issue the certificate of completion by fraud, negligent, or intentional nondisclosure or misrepresentation.

### REVIEW OF AGENCY ACTIONS

*By Responsible Party:* The action of the Site Designation Committee to designate an Administering Agency is a final action and is not subject to further administrative or judicial review by anyone, including the Responsible Party. [HSC, Section 25262(d)] The Responsible Party may, however, with the approval of the Administering Agency, terminate the designation. [HSC, Section 25266]

The Responsible Party and the public may appeal actions of the Administering Agency by following that agency's appeal process. The appeal processes of the Support Agencies are also available, but may not be effective, since the Administering Agency has "sole jurisdiction over all activities that may be required to carry out a site investigation and remedial action necessary to respond to the hazardous materials release at the site." [HSC, Section 25264]

*By Support Agencies:* If at any time a Support Agency finds that the Administering Agency is not appropriately implementing applicable state and local laws, ordinances, regulations and standards, or if a Support Agency disagrees with the decision of the Administering Agency to issue a Certificate of Completion for a site, the Support Agency may petition the Site Designation Committee



under HSC, Section 25265 to review these matters. If the Committee finds that the Administering Agency is not properly implementing a state or local law, ordinance, regulation, or standard, the Committee will divest the Administering Agency of exclusive jurisdiction over the implementation of that law, ordinance, regulation, or standard and the jurisdiction shall revert to the Appropriate Agency. If the Committee finds that there are valid grounds for objecting to the issuance of a Certificate of Completion, the Committee will specify the actions that the Responsible Party and the Administering Agency must take before the Certificate of Completion may be issued.

#### ***Enforcement***

The Administering Agency is responsible for enforcement related to the site investigation and remedial actions. Under HSC, Section 25265, however, any Agency may petition the Committee to review the Administering Agency's implementation of state and local law; for example, if the Agency disagreed with the Administering Agency's enforcement actions or lack thereof. As discussed above, the Site Designation Committee has the option to divest the Administering Agency of jurisdiction and return any permit and necessary enforcement to the appropriate agency.

All Agencies retain jurisdiction for enforcement of violations of statutes and regulations not related to the investigation and remedial action of hazardous materials at the site.

#### ***Advisory Team***

Any agency, including the Administering Agency, may request the Site Designation Committee to convene an advisory team to assist the Administering Agency in overseeing site investigation and remedial action at a site.

#### ***New Information***

If, at any time, the Administering Agency determines that the site designation application and supporting information was inaccurate or incomplete and that new information would likely have resulted in the designation of a different Administering Agency, the Administering Agency may request the Site Designation Committee to review the original designation under HSC, Section 25267. In response to such a request, the Committee may rescind the original designation and designate a different Administering Agency. Should such new information become available to the Administering Agency, the Administering Agency is responsible for sharing that information with all other Appropriate Agencies.

#### ***ATTACHMENTS TO IMPLEMENTATION GUIDE***

1. Statute (HSC, Division 20, Chapter 6.65, beginning with Section 25260)
2. Application form and instructions (on reverse of form)
3. Sample agency designation resolution for the Site Designation Committee.
4. Form letter calling the first meeting of the Consultative Work Group.
5. Site Designation Quarterly Status Report.
6. Sample Certificate of Completion.

**25260.** The definitions set forth in this section shall govern the interpretation of this chapter. Unless the context requires otherwise and except as provided in this chapter, the definitions contained in Article 2 (commencing with Section 25310) of Chapter 6.8 shall apply to the terms used in this chapter.

- (a) "Administering agency" means the agency designated by the committee pursuant to Section 25262.
- (b) "Advisory team" means the team convened by the committee pursuant to Section 25263.
- (c) "Agency" means any city, county, district, commission, the state, or any department, agency, or political subdivision thereof, that has jurisdiction under a state or local law, ordinance, or regulation to supervise, oversee, or approve a site investigation and a remedial action at a hazardous materials release site.
- (d) "Hazardous material" means a substance or waste that, because of its physical, chemical, or other characteristics, may pose a risk of endangering human health or safety or of degrading the environment. "Hazardous material" includes, but is not limited to, all of the following:
  - (1) A hazardous substance, as defined in Section 25281 or 25316.
  - (2) A hazardous waste, as defined in Section 25117.
  - (3) A waste, as defined in Section 470 or as defined in Section 13050 of the Water Code.
- (e) "Hazardous materials release site" or "site" means any area, location, or facility where a hazardous material has been released or threatens to be released into the environment. "Hazardous materials release site" does not include a site subject to a response and cleanup operation under Chapter 7.4 (commencing with Section 8670.1) of Division 1 of Title 2 of the Government Code or a corrective action under Part 6 (commencing with Section 46000) of Division 30 of the Public Resources Code.
- (f) "Committee" means the Site Designation Committee created by Section 25261.
- (g) "Remedial action" means actions required by state or local laws, ordinances, or regulations

that are necessary to prevent, minimize, or mitigate damage that may otherwise result from a release or threatened release of a hazardous material, and that are consistent with a permanent remedy for a hazardous materials release. "Remedial action" includes, but is not limited to, the cleanup or removal of released hazardous materials from the environment, monitoring, testing and analysis of the site, site operation and maintenance, and the placing of conditions, limitations, or restrictions on the uses of the site after remedial action has been completed.

- (h) "Responsible party" means any person, except for an independent contractor, who agrees to carry out a site investigation and remedial action at a hazardous materials release site for one of the following reasons:
  - (1) The person is liable under a state or local law, ordinance, or regulation for the site investigation or remedial action.
  - (2) The site investigation or remedial action is required by a state or local law, ordinance, or regulation because of a hazardous materials release.
- (i) "Site investigation" means those actions that are necessary to determine the full extent of a release or threatened release of a hazardous material at a hazardous materials release site, identify the public health and safety or environmental threat posed by the release or threatened release, collect data on possible remedies, and otherwise evaluate the hazardous materials release site for the purpose of implementing remedial action.

**25261.**

- (a) There is within the California Environmental Protection Agency a Site Designation Committee. The membership of the committee consists of the following six persons:
  - (1) Secretary for Environmental Protection.
  - (2) Director of Toxic Substances Control.
  - (3) Chairperson of the State Water Resources Control Board.
  - (4) Director of Fish and Game.
  - (5) Director of the Office of Environmental Health Hazard Assessment.

(6) Chairperson of the State Air Resources Board.

- (b) The committee shall carry out the functions described in Sections 25262, 25263, and 25265 and shall meet as necessary to ensure that those functions are carried out in a timely manner. The decisions of the committee shall be subject to the concurrence of four members. The committee shall choose a chairperson from among its members. A committee member may designate an employee of the member's agency to participate in committee meetings in the member's place.

**25262.**

- (a) A responsible party for a hazardous materials release site may request the committee at any time to designate an administering agency to oversee a site investigation and remedial action at the site. The committee shall designate an administering agency as responsible for the site within 45 days of the date the request is received. A request to designate an administering agency may be denied only if the committee makes one of the following findings:
- (1) No single agency in state or local government has the expertise needed to adequately oversee a site investigation and remedial action at the site.
  - (2) Designating an administering agency will have the effect of reversing a regulatory or enforcement action initiated by an agency that has jurisdiction over the site, a facility on the site, or an activity at the site.
  - (3) Designating an administering agency will prevent a regulatory or enforcement action required by federal law or regulations.
  - (4) The administering agency and the responsible party are local agencies formed, in whole or in part, by the same political subdivision.
- (b) A responsible party who requests the designation of an administering agency for a hazardous materials release site shall provide the committee with a brief description of the site, an analysis of the known or suspected nature of the release or threatened release that is the subject of required site investigation or remedial action, a description of the type of

facility from which the release occurred or the type of activity that caused the release, a specification of the regulatory or enforcement actions that have been taken, or are pending, with respect to the release, and a statement of which agency the responsible party believes should be designated as administering agency for the site.

- (c) (1) The committee shall take all of the following factors into account in determining which agency to designate as administering agency for a site:
- (A) The type of release that is the subject of site investigation and remedial action.
  - (B) The nature of the threat that the release poses to human health and safety or to the environment.
  - (C) The source of the release, the type of facility or activity from which the release occurred, the regulatory programs that govern the facility or activity involved, and the agency or agencies that administer those regulatory programs.
  - (D) The regulatory history of the site, the types of regulatory actions or enforcement actions that have been taken with respect to the site or the facility or activity from which the release occurred, and the experience and involvement that various agencies have had with the site.
  - (E) The capabilities and expertise of the agencies that are candidates for designation as the administering agency for the site and the degree to which those capabilities and that expertise are applicable to the type of release at the site, the nature of the threat that the release poses to health and safety or the environment and the probable remedial measures that will be required.
- (2) After weighing the factors described in paragraph (1) as they apply to the site, the committee shall use the criteria specified in subparagraphs (A), (B), (C), and (D) as guidelines for designating the administering agency. If more than one of

the criteria apply to the site, the committee shall use its best judgment, taking into account the known facts concerning the hazardous materials release at the site and its regulatory history, in determining which agency may best serve as the administering agency. The criteria are as follows:

(A) The administering agency shall be the Department of Toxic Substances Control if one of the following applies:

- (i) The department has issued an order, or otherwise initiated action, with respect to the release at the site pursuant to Section 25355, 25355.5, or 25358.3.
- (ii) The department has issued an order for corrective action at the site pursuant to Section 25187.
- (iii) The source of the release is a facility or hazardous waste management unit or an activity that is, or was, regulated by the department pursuant to Chapter 6.5 (commencing with Section 25100).
- (iv) The department is conducting, or has conducted, oversight of the site investigation and remedial action at the site at the request of the responsible party.

(B) The administering agency shall be the California regional water quality control board for the region in which the site is located, if one of the following applies:

- (i) The California regional water quality control board has issued a cease and desist order pursuant to Section 13301, or a cleanup and abatement order pursuant to Section 13304 of the Water Code in connection with the release at the site.
- (ii) The source of the release is a facility or an activity that is subject to waste discharge requirements issued by the California regional water quality control board pursuant to Section 13263 of the Water Code or that is regulated by the California regional water quality control board pursuant to Article 5.5 (commencing with

Section 25159.10) of, or Article 9.5 (commencing with Section 25208) of, Chapter 6.5, or pursuant to Chapter 6.67 (commencing with Section 25270).

(iii) The California regional water quality control board has jurisdiction over the site pursuant to Chapter 5.6 (commencing with Section 13390) of Division 7 of the Water Code.

(C) The administering agency shall be the Department of Fish and Game if the release has polluted or contaminated the waters of the state and the department has taken action against the responsible party pursuant to Section 2014 or 12015 of, or Article 1 (commencing with Section 5650) of Chapter 2 of Part 1 of Division 6 of, the Fish and Game Code, subsection (f) of Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended, (42 U.S.C. Sec. 9607 (f)), or Section 311 of the Federal Water Pollution Act, as amended (33 U.S.C. Sec. 1321).

(D) The administering agency shall be a local agency if any one of the following circumstances is applicable:

- (i) The source of the release at the site is an underground storage tank, as defined in subdivision (x) of Section 25281, the local agency is the agency described in subdivision (g) of Section 25281, and there is no evidence of any extensive groundwater contamination at the site.
  - (ii) The local agency has accepted responsibility for overseeing the site investigation or remedial action at the site and a state agency is not involved.
  - (iii) The local agency has agreed to oversee the site investigation or remedial action at the site and is certified, or has been approved, by a state agency to conduct that oversight.
- (d) A responsible party for a hazardous materials release site may request the designation of an

administering agency for the site pursuant to this section only once. The action of the committee on the request is a final action and is not subject to further administrative or judicial review.

**25263.** Any agency, including the administering agency, may request the committee at any time to convene an advisory team for the purpose of providing the administering agency with guidance in overseeing site investigation and remedial action at a hazardous materials release site. The committee shall create such an advisory team within 30 calendar days of the date of receipt of the request and shall designate the members of the advisory team after consulting with interested agencies. The advisory team shall be chaired by the representative of the agency that requested the advisory team to be convened and shall meet within five working days of the date that any agency requests a meeting. A representative of the administering agency shall attend all advisory team meetings.

**25264.**

(a) The administering agency for a hazardous materials release site shall supervise all aspects of a site investigation and remedial action conducted by the responsible party and, for that purpose, the administering agency shall, notwithstanding any other provision of law, including, but not limited to, this division and Division 7 (commencing with Section 13000) of the Water Code, have sole jurisdiction over all activities that may be required to carry out a site investigation and remedial action necessary to respond to the hazardous materials release at the site. For purposes of this chapter, the administering agency shall do all of the following:

- (1) Administer all state and local laws, ordinances, regulations, and standards that are applicable to, and govern, the activities involved with the site investigation and remedial action at the site.
- (2) Determine the adequacy of site investigation and remedial action activities at the site and the extent to which the activities comply, or fail to comply, with applicable state and local laws, ordinances,

regulations, and standards. In making these determinations, the administering agency shall consult with the advisory team if one has been convened pursuant to Section 25263.

- (3) Issue permits or other forms of authorization that may be required by state and local laws, ordinances, and regulations and that are necessary to undertake activities related to the site investigation and remedial action at the site. Before issuing a permit or other authorization pursuant to this paragraph, the administering agency shall consult with the appropriate agency and ensure that required procedures are followed and adequate permit requirements and conditions are imposed.
- (b) Upon determining that a site investigation and remedial action at a hazardous materials release site has been satisfactorily completed and that a permanent remedy to the release has been accomplished, the administering agency shall issue the responsible party a certificate of completion. The certificate shall describe the release of hazardous materials that was the subject of the remedial action and the remedial action that was taken and shall certify that applicable remedial action standards and objectives were achieved.
- (c) Except as otherwise provided in Section 25265 and this subdivision, the issuance of a certificate of completion by the administering agency shall constitute a determination that the responsible party has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable to the site investigation and remedial action for which the certificate is issued. No agency that has jurisdiction over hazardous materials releases pursuant to those state and local laws, ordinances, or regulations may take action against the responsible party with respect to the hazardous materials release that was the subject of the site investigation and remedial action for which a certificate of completion is issued unless one of the following applies:
  - (1) Monitoring, testing, or analysis of the hazardous materials release site subsequent

to the issuance of the certificate of completion indicates that the remedial action standards and objectives were not achieved or are not being maintained.

- (2) One or more of the conditions, restrictions, or limitations imposed on the site as part of the remedial action or certificate of completion are violated.
- (3) Site monitoring or operation and maintenance activities that are required as part of the remedial action or certificate of completion for the site are not adequately funded or are not properly carried out.
- (4) A hazardous materials release is discovered at the site that was not the subject of the site investigation and remedial action for which the certificate of completion was issued.
- (5) A material change in the facts known to the administering agency at the time the certificate of completion was issued, or new facts, causes an agency to find that further site investigation and remedial action are required in order to prevent a significant risk to human health and safety or to the environment.
- (6) The responsible party induced the administering agency to issue the certificate of completion by fraud, negligent or intentional nondisclosure of information, or misrepresentation.

**25265.**

- (a) Any agency may petition the chairperson of the committee at any time to review either of the following:
  - (1) The manner in which the administering agency is implementing state and local laws, ordinances, regulations, and standards applicable to the site investigation and remedial action that is being carried out by the responsible party at a hazardous materials release site.
  - (2) The decision to issue a certificate of completion for the site.
- (b) The petition specified in subdivision (a) shall state the reasons why the review is warranted, the basis for believing that applicable state and local laws, ordinances, regulations, and standards are not being implemented properly,

or the grounds for objecting to the issuance of a certificate of completion.

- (c) The committee shall review the petition submitted pursuant to subdivision (a), consult with the petitioning and administering agencies, and make a decision regarding the validity of the petition within 30 calendar days of the date the petition is received. If the committee finds that the petition is not valid, it shall deny the petition. If it finds that the administering agency is not properly implementing a state or local law, ordinance, regulation, or standard, the administering agency shall be divested of exclusive jurisdiction over the implementation of that law, ordinance, regulation, or standard and the jurisdiction shall revert to the appropriate agency. If the committee finds that there are valid grounds for objecting to the issuance of a certificate of completion, the committee shall specify the actions that the responsible party and the administering agency shall be required to take before the certificate may be issued.
- (d) Nothing in this section shall be construed to affect or limit the jurisdiction of the administering agency in connection with the administration of any state or local law, ordinance, regulation, or standard that has not been challenged under this section.

**25266.** The responsible party for a hazardous materials release site may, with the approval of the administering agency, terminate the application of this chapter to the site. The administering agency shall notify the committee, the advisory team, and any agency that may have jurisdiction over site investigation or remedial action at the site that the application of this chapter has been terminated. If the application of this chapter is terminated, the responsible party may not request the designation of another administering agency pursuant to Section 25262.

**25267.** If, at any time after site investigation or remedial action at a hazardous materials release site has begun, the administering agency determines that the information concerning the site that was available at the time the administering agency was designated was not accurate or was incomplete and that new information would likely

have resulted in the designation of a different administering agency, the administering agency may request the committee to review the original designation. If, after reviewing the new information and considering the factors and guidelines specified in subdivision (c) of Section 25262, the committee concludes that the original designation was not in the public interest, it may rescind the original designation and designate a different administering agency.

**25268.** Nothing in this chapter shall be construed as infringing on the right of any agency to obtain from the administering agency for a site the information which may be necessary for the agency to carry out its responsibilities under this chapter, including, but not limited to, its responsibilities under Section 25263, subdivisions (a) and (c) of Section 25264, and Section 25265.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
SITE DESIGNATION COMMITTEE  
555 Capitol Mall, Suite 525  
Sacramento, CA 95814  
Phone: (916) 445-3884



STATE USE ONLY:

Date Received

Request No.

## REQUEST FOR DESIGNATION OF ADMINISTERING AGENCY

This application provides the necessary information to request a designated administrative agency. Complete and submit this application to the address in the upper left corner. Type or print legibly the required information in the applicable sections below. Refer to the application instructions on reverse.

### I. RESPONSIBLE PARTY IDENTIFICATION

A. Applicant / Responsible Party Name per H&S Code §25260(h)		C. Reason Why Applicant Is A Responsible Party	
Mailing Address			
City, State	Zip Code	D. Identify Any Other Parties Responsible For This Release	
Telephone No. ( )			
B. Contact Person's Name (if different from above)		E. Identify All Known Interested Parties For This Release	
Telephone No. ( )	Title		

### II. SITE DESCRIPTION

A. Site Location (see instructions on reverse)		B. Brief Description of Site
	County	

### III. DESCRIPTION OF RELEASE OR THREATENED RELEASE

A. Known or Suspected Nature of Release or Threatened Release	B. Type of Facility (see instructions on reverse)

### IV. REGULATORY OR ENFORCEMENT ACTIONS (KNOWN OR PENDING)

A. 1. Name of Primary Agency Involved	B. 1. Name of Other Agency Involved (attach pages if more than 2 agencies involved)
2. Agency Project Number or Other Reference	2. Agency Project Number or Other Reference
3. Agency Principal Contact and Telephone Number	3. Agency Principal Contact and Telephone Number
4. Regulatory or Enforcement Action(s) Taken or Pending	4. Regulatory or Enforcement Action(s) Taken or Pending
C. List environmental permits (see instructions on reverse)	

### V. DESIGNATION REQUEST

A. Agency Requested
B. Reason for Request

### VI. CERTIFICATION AND LIST OF ATTACHMENTS

I hereby certify that the information provided in this application and in any attachments is true and accurate to the best of my knowledge. I also hereby agree to carry out a site investigation and remedial action at the site identified above.		
A. Signature of Applicant / Responsible Party		D. List Titles of Any Attachments
B. Title	C. Date	



## INSTRUCTIONS FOR COMPLETING APPLICATION FOR REQUEST FOR DESIGNATION OF ADMINISTERING AGENCY

**GENERAL:** This application form is for use by Responsible Parties requesting designation of an administering agency under Health and Safety Code (HSC), Division 20, Chapter 6.65, Sections 25260-25268. Type or print clearly all required information and make sure that all required documents are submitted with the application. Attach additional pages as necessary to explain or complete your responses. Sign and date the application where indicated. Send the original signed application and with one copy of each of the supporting documents (retain original supporting documents) and 10 additional copies of the application. Retain a copy of the application for your records. To confirm delivery, it is suggested that applications be mailed certified, return receipt requested. Applications may not be submitted by facsimile or through other electronic means. Mail completed application to:

California Environmental Protection Agency  
Site Designation Committee  
555 Capitol Mall, Suite 525  
Sacramento, CA 95814

### I. RESPONSIBLE PARTY IDENTIFICATION:

- A. **Applicant / Responsible Party Name:** Identify the Responsible Party and property owner if different from Responsible party and mailing address, and list the telephone number where the Responsible Party can be reached during normal business hours.
- B. **Contact Person:** The contact person should be someone who can answer any questions about the site and the application. List the telephone number where the contact person can be contacted during normal business hours.
- C. **Reason Why Applicant is a Responsible Party:** See HSC, Section 25260(h).
- D. **Other Responsible Parties:** If known, list any other Responsible Parties for this release, along with their addresses and phone numbers.
- E. **Interested Parties:** If known, list all interested parties, including adjacent property owners, tenants and parties potentially affected by this release or the agency designation, along with their addresses and phone numbers.

### II. SITE DESCRIPTION:

- A. **Site Location:** Give a legal description of the site. Include assessor's parcel number(s) and/or geographic coordinates, such as Section, Township, and Range. Also include the street address of the site, if applicable.
- B. **Brief Description of Site:** Give information that may assist the Site Designation Committee in delineating the boundaries of the site. [see HSC, Section 25260(e)]

### III. DESCRIPTION OF RELEASE OR THREATENED RELEASE:

- A. **Known or Suspected Nature of Release or Threatened Release:** Describe the types of hazardous materials released. [see HSC, Section 25260(d)] Attach technical reports already prepared for this site.
- B. **Type of Facility:** Describe the type of facility from which the release or threatened release occurred; or describe the type of activity that caused the release or threatened release.

### IV. REGULATORY OR ENFORCEMENT ACTIONS (KNOWN OR PENDING)

- B. **Other Agency:** Attach extra page(s) if more than two agencies (including federal, state and local) have been involved with the release or threatened release at this site. Attach a list of all state and local regulatory agencies that have been involved with the site, including names, contacts, addresses and telephone numbers.
- C. **Environmental Permits Information:** List any environmental permits, issued or pending, by regulatory agencies. Attach copies, and retain the originals. Examples of environmental permits are: Regional Water Board Waste Discharge Requirements, USEPA / DTSC Hazardous Waste Permits, and Local Government Underground Storage Tank Permits.

### V. DESIGNATION REQUEST:

- B. **Reason for Request:** Explain why the administering agency should be selected, including any of the experience and involvement that various agencies have had with the site, the special capabilities and expertise of the requested administering agency for the site, the nature of the threat that the release poses to health and safety or to the environment, and the probable remedial measures that will be required. [see HSC, Section 25262(c)]

### VI. CERTIFICATION AND LIST OF ATTACHMENTS:

- D. **List Titles of Any Attachments:** Attach any additional information which may assist the Site Designation Committee in making its determination of the administering agency, including technical reports already prepared for this hazardous materials release site.

**SITE DESIGNATION COMMITTEE**

**RESOLUTION NO. \_\_\_\_\_**

**Page Two**

**NOW, THEREFORE BE IT RESOLVED** that the Site Designation Committee hereby designates [Administering Agency Name] as the administering agency for the site; and

**BE IT FURTHER RESOLVED** that this designation is subject to the following conditions:

1. [Administering Agency Name] shall consult, on an ongoing basis, with all appropriate agencies who have expressed an interest in this site, including all agencies who would otherwise be issuing a permit or other form of authorization:
  - a) in administering all state and local laws which are applicable;
  - b) in determining the adequacy of site investigation and remedial action activities; and
  - c) prior to issuing any permit or other form of authorization.
2. Such consultation will also include notification if information becomes available to the administering agency that the original application was inaccurate or was incomplete.
3. If an advisory team is convened by the Site Designation Committee, a representative of the administering agency shall attend all advisory team meetings.
4. The [Administering Agency] shall submit quarterly reports to the Site Designation Committee concerning the status of the investigation and/or remediation of the Site and shall comply with applicable public participation requirements.

**CERTIFICATION**

The undersigned Chair of the Site Designation Committee does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Site Designation Committee held in [City], California on [Date].

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Chairperson's Name], Chair  
Site Designation Committee

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
SITE DESIGNATION COMMITTEE  
RESOLUTION NO. \_\_\_\_\_  
[DATE OF SITE DESIGNATION COMMITTEE MEETING]  
[NAME OF SITE]

WHEREAS, Chapter 6.65 of the Health and Safety Code, commencing with Section 25260 establishes a Site Designation Committee; and

WHEREAS, the Site Designation Committee may designate an Administering Agency to oversee a site investigation and remedial action at a hazardous materials release site upon request of a responsible party; and

WHEREAS, [Responsible Party Name], a responsible party as defined in Health and Safety Code Section 25260(h), requested the Site Designation Committee to designate an administering agency to oversee site investigation and remedial action at [Site Address], [Site County], California, more particularly, [Legal Description of Site] (site); and

WHEREAS, this site is a hazardous materials release site as defined in Health and Safety Code Section 25260; and

WHEREAS, the Site Designation Committee received the request for designation of an administering agency on [Date]; and

WHEREAS, the Site Designation Committee held a meeting on [Date], and provided an opportunity at the meeting for public comment regarding the application; and

WHEREAS, the Site Designation Committee considered the application and furthermore, considered all factors and criteria set forth in Health and Safety Code Section 25262(c); and

WHEREAS, [Responsible Party Name] agrees to reimburse appropriate agencies for their appropriate oversight costs and/or costs of permit development, where those agencies' significant involvement and/or permit development is necessary for the furtherance of the project goals; and

WHEREAS, the Site Designation Committee has determined that, based on consideration of all of the factors listed in Health and Safety Code Section 25262(c), the [Administering Agency Name] is the appropriate agency to act as the administering agency.

**FORM LETTER**  
**CALLING THE FIRST MEETING OF THE CONSULTATIVE WORK GROUP**

[Date]

[Name & Address of State/Local Agency]

Subject: **SCHEDULING CONSULTATIVE MEETINGS WITH APPROPRIATE AGENCIES**

Dear [Name of Agency's Contact Person]:

The [Name of Designated Agency] has been designated as the Administering Agency for site investigation and remedial actions necessary to respond to the hazardous materials release at the [Name of Site] located at [Site Location], pursuant to the provisions of Health and Safety Code, Division 20, Chapter 6.65 "Unified Agency Review of Hazardous Materials Release Sites" (added by Assembly Bill 2061 of 1993).

Since our [Department/Agency/Board] has been designated, we would like to schedule a consultative meeting(s) with your agency to discuss and address any areas of concern, technical issues or problems, and coordination of planned site investigation and cleanup activities, including permit requirements. The initial meeting is scheduled for [Date and Time] at [Meeting Location]. Please let me know by [Reply Date] whether you are able to attend this meeting. If you are not the contact person for this site, please call me and provide the name and telephone number of your agency's representative.

If you have any questions concerning the cleanup of this site, please contact me at [Telephone Number of Project Manager].

Sincerely,

[Name of Project Manager]  
[Title of Project Manager]



# INSTRUCTIONS FOR COMPLETING QUARTERLY STATUS REPORT

**GENERAL:** This Quarterly Status Report is for use in communicating to Cal/EPA the activities of the Administering Agency and Support Agencies with respect to site investigation and remedial action. Type or print clearly all requested information in the spaces provided and attach additional pages as necessary to explain or complete your responses. Mail Quarterly Status Reports to:

California Environmental Protection Agency  
AB 2061 Site Designation Work Group  
555 Capital Mall, Suite 525  
Sacramento, CA 95814

**1. Date of Consultative Work Group Meeting and List of Attendees**

List date(s) of Consultative Work Group Meeting(s) that occurred during the quarter, including names of attendees followed by agency affiliation in parenthesis. If initial status report, attach summary of the first Consultative Work Group Meeting.

**2. Recent Public Comment/Participation**

List documents received in quarter subject to public comment or public meetings/hearings held and what you did to provide for public participation.

**3. Describe Known or Potential Areas of Concern**

Describe the site investigative or remedial activities occurring at the site and issues for the quarter.

**4. Current Phase of Action under AB 2061 Site Designation Process**

List current phase of action corresponding to description provided below by assigning a number followed by an appropriate letter, if applicable (i.e. Work Plan Completed denote as level 3D).

<u>Number</u>	<u>Description</u>
1	Administering Agency Designated
2	First Consultative Meeting Completed
3	<u>Levels of Action</u> A - Preliminary Site Assessment Completed B - Site Investigation Completed C - Feasibility Study Completed D - Work Plan Completed E - Cleanup Alternative Selected and Authorized F - Design of Cleanup Alternative Selected G - Implementation of Cleanup Alternative (give % complete) H - Remediation Completed
4	Certificate of Completion Issued (after concurrence by other interested agencies).

**5. List any Technical Problems**

Describe any technical issues impeding site investigative or cleanup activities.

**6. Permits Required/Issued to Date**

List any permits currently being required and/or issued by the Administering or Support Agency.

**7. Pending Permit Issues**

List any permits currently pending approval and any requirements yet to be fulfilled by the Responsible Party.

**8. Oversight Agency Costs Reimbursed to Date**

For subject quarter, list agency, amount reimbursed followed by pending reimbursement in parenthesis, and brief description of services provided by each agency.

**9. Additional Comments or Issues**

Describe any important issues not previously addressed above such as issues discussed at last Consultative Work Group Meeting.

**AB 2061 QUARTERLY STATUS REPORT**

For information on completing and submitting this status report, refer to the instructions on reverse.

Date:

Lead Agency:

Site Name:

Project Manager:

Resolution Number:

Phone Number:

This is the:

Initial Report

Quarterly Report --

(Quarter Ending \_\_\_\_\_)

Address:

1. Date(s) of Consultative Meeting(s) and List of Attendees (Agency):

2. Recent Public Comment/Participation:

3. Describe the Potential or Known Areas of Concern:

4. Current Phase of Action:

5. List any Technical Problems:

6. Permits Required/Issued to Date:

7. Pending Permits Issues:

8. Oversight Agency Costs Reimbursed to Date (per Agency):

9. Additional Comments or Issues:

Number \_\_\_\_\_  
(Use Resolution No.)

# CERTIFICATE OF COMPLETION

Unified Agency Review of Hazardous Materials Release Sites

California Health and Safety Code § 25260-25268

Designation Committee request by \_\_\_\_\_ was designated as the Administering Agency by the Site  
Responsible Party) to oversee the Site Investigation and Remedial Action a \_\_\_\_\_ attached as Exhibit "C" to this Certificate  
(the Hazardous Materials Release Site). See Resolution No. \_\_\_\_\_

In accordance with Health and Safety Code § 25264, the Administering Agency, after appropriate consultation with other agencies, has determined and/or certifies that:

1. The Site Investigation and Remedial Action at the Site has been satisfactorily completed and a permanent remedy has been accomplished [§ 25264(b)]. Actions taken are described in Exhibit "B" attached.
2. Applicable Remedial Action standards and objectives were achieved [§ 25264(b)].
3. The Responsible Party has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable to the Site Investigation and Remedial Action [§ 25264(c)].
4. This Certificate of Completion is subject to conditions specified in Exhibit "C" attached.

No agency may take action against the Responsible Party with respect to the hazardous materials release at the site except as specified in Health and Safety Code § 25264(c)(1) through (6).

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ by the  
Administering Agency

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_